

### **REMARKS**

In view of the above amendment, Applicant believes the pending application is in condition for allowance. Claims 1, 2, 4-7, and 9 are now present in this application, of which claims 1, 2, and 5 are independent. Claims 3 and 8 have been canceled, claim 9 has been added, and claims 1, 2, and 4-6 have been amended.

Reconsideration of this application, as amended, is respectfully requested.

#### **Priority Under 35 U.S.C. § 119**

Applicant thanks the Examiner for acknowledging Applicant's claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority document.

#### **Information Disclosure Citation**

Applicant thanks the Examiner for considering the reference supplied with the Information Disclosure Statement filed March 29, 2004, and for providing Applicant with an initialed copy of the PTO-1449 or PTO-SB08 form filed therewith.

#### **Drawings**

Since no objection has been received, Applicant assumes that the drawings are acceptable and that no further action is necessary. Confirmation thereof in the next Office Action is respectfully requested.

#### **Rejection Under 35 U.S.C. § 112, 2<sup>nd</sup> Paragraph**

Claim 7 stands rejected under 35 U.S.C. § 112, 2<sup>nd</sup> Paragraph. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language "the cushion check valves" lacks antecedent basis.

In order to overcome this rejection, Applicant has amended claim 5 to provide proper antecedent basis for "the cushion check valves" required in dependent claim 7. Applicant respectfully submits that the claims, as amended, particularly point out and distinctly claim the

subject matter which Applicant regards as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

### **Rejection Under 35 U.S.C. § 102**

Claims 1, 2, and 5-7 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,857,571 to Tschantz et al. Further, claims 1, 2, 5, and 6 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,826,723 to Jaszai. These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

With regard to the rejection of claim 1, while not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicant respectfully submits that independent claim 1 has been amended to include the limitations of objected-to allowable claim 3, thereby automatically placing independent claim 1 into condition for allowance, along with dependent claim 4.

With regard to the rejection of claim 2, while not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicant respectfully submits that independent claim 2 has been amended to include the limitations of objected-to allowable claim 8, thereby automatically placing independent claim 2 into condition for allowance, along with newly added dependent claim 9.

With regard to the rejection of claim 5, while not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicant respectfully submit that independent claim 5 has been amended to include similar limitations of those in objected-to allowable claim 3, thereby automatically placing independent claim 5 into condition for allowance, along with dependent claims 6 and 7.

Reconsideration and allowance of claims 1, 2, and 5-7 are respectfully requested.

### **Claim 9**

Claim 9 has been added for the Examiner's consideration. Applicant submits that claim 9 depends from independent claim 2, and is therefore allowable based on its dependence from claim 2, which is believed to be allowable.

In addition, claim 9 recites further limitations that are not disclosed or made obvious by the applied prior art references.

### **Office Action**

The Office Action contains numerous characterizations of the invention, the claims, and the related art, with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization in the Office Action.

### **CONCLUSION**

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but have merely been cited to show the state of the art, no comment need be made with respect thereto.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Chad D. Wells, Registration No. 50,875, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.


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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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